



# ROLE OF MEDIA IN INDIAN DEMOCRACY

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## ABSTRACT

Democracy cannot be successful without free press. Free press is very essential, as it is the voice of the people. But media shall not fall as a victim to some monetary or any other temptations, and shall keep on honestly serve the people.

The Bengal Gazette was the first news paper which was started by James Augustus Hickley in year 1880 in India. Since then the media has been emerging in various forms. Media is playing a vital role in shaping human minds.

The media is considered as fourth pillar of democracy. It makes us aware of various activities from fields like politics, sports, economic social etc. It is also like a mirror which shows the bare truth and sometimes it may be harsh. However it plays a crucial role in shaping the public minds.

Media plays an important role in shaping the democracy. It is called as backbone of democracy. It empowers the citizens by information. Media arranges the debate so different views regarding same issue could be put forth.

### Constitutional Status of Media in India

When the constitution of India was being drafted, the question aroused before the framers that whether to have a separate provision for press as in American Constitution<sup>1</sup>, or to include the freedom of press in right to speech and expression as in England.

The Chairman of Drafting committee Dr. Babasaheb Ambedkar strongly argued that: "The press is merely another way of stating an individual or a citizen. The press has no special rights which are not to be given or which are not to be given or which are not to be exercised by the citizen in his individual capacity. The editor of press or the manager are all citizens and therefore when they choose to write in news paper they are merely exercising their right of freedom of speech and expression and in my judgment therefore no special mention is necessary of the freedom of press at all"<sup>2</sup> hence the right to press was included in freedom of speech and expression i.e., Article 19(1)(a) of the Indian Constitution.

Independent press and control free press is pre requisite of a democracy. The need for a free press is more in a country like India. In the absence of any specific article in the Indian constitution for press or media, it was the judiciary who safeguarded and promoted the independence of press. At times it also restricted the same in the interest of justice.

### Indian Judiciary Protecting the Independence of Press/Media

In *Romesh Thapar v. State of Madras*<sup>3</sup> the court has held that right to circulation is as important as right to publication. In *Sakal News Papers v. Union of India*<sup>4</sup> an indirect effort by Government to restrict the freedom, by passing the Newspaper (Price and Pages) Act 1956, which empowered the government to regulate the space for advertisement, was struck down by judiciary as it would have direct impact on circulation.

### Indian Judiciary Restricting Freedom of Press/Media

The Indian judiciary not only protected the rights of press or the media, but also restricted it in the interest of justice. In *Bihar v Shailabala Devi*<sup>5</sup> speeches and expression on the part of an individual which incite or encouragement to of violent crimes like murder, etc will undermine the security of the state. In the case of *Dr. D.C. Saxena v. Hon'ble the Chief Justice of India*, this Court held: If maintenance of democracy is the foundation for free speech, society equally is entitled to regulate freedom of speech or expression by democratic action. The reason is obvious, viz., that society accepts free speech and expression and also puts limits on the right of the majority<sup>6</sup>.

### Role of Media in Democratic Country like India

In a democratic country like India the media has following duties:

- 1) To equip the citizen with unbiased information. Media shall not taint the facts; they shall present them as they are.
- 2) To play vital role in broadening the thinking of citizens, by empowering them with knowledge. In a country like India where there is significant rate of illiteracy, it is the duty of media to impart knowledge and broaden their views.
- 3) To fairly criticize any action this is against the spirit of justice or essence of

democracy.

- 4) To point out the concept practices and play a crucial role in initiating the proper procedure against the people who are accused of any antisocial activities, regardless of any political connection.
- 5) To foster the spirit of unity and brotherhood among the people, and install faith in democracy and justice.

If the media adheres strictly to its duties then the democracy will be enjoyed in true sense by the citizens of India.

However with the invention of new technology in the field of communication such as T.V and internet the concept of news reporting was not only limited to news papers. Initially there was only one channel, but then with the liberalization policy, there came a wave of the private channels which also brought the cut throat competition. Every channel started to provide that news to the public which the public wanted to hear, and apart from providing the news to the people they also started frame the opinion of the people. In simple words the media started to control the minds of the people. It could make the people believe what they wanted to state. The news received by people was no longer unbiased. With rising competition the standards of journalism started to fall. Media that was a mission before independence grew as a profession after independence and of late it is being criticized for becoming a business without ethics and without any social responsibility. It is because the owners of print and private electronic channels are the owners of either a business establishment or an Industrial house or a financial institution. News, naturally in the hands of these businessmen became a commodity. News, which shall be a bare fact is now angled or slanted to make it marketable news. Media wanted stories in place of plain news based on facts. Editorial has become either dictatorial or proprietorial<sup>7</sup>. This in turn gave rise to some evils. Some of them are listed below.

### Flaws of media

#### 1. High levels of inaccuracies

One of the defects that cropped up as a result of as a result is high level of inaccuracies. The following example will be one of the glaring example of how the media is as follows: Journalist Rupa Subramanya, via this tweet raised a point that an India Today report was claiming that people arrested in the Mumbai Church attack, belonged to Right Wing groups. The truth in fact, as reported by multiple news portals, was that the men arrested were gamblers, whose den, which is located near the church was raided recently. On suspicion that the church ratted them out, they attacked the church. In spite of knowing this plain truth, India Today's reported tried to fix the blame on "Right Wing Groups". Eventually the story was corrected<sup>8</sup>.

#### 2. Sensationalism

The media generally tries to highlight sensational stories like that of crime, rape, and sometimes spicy stories like sports, or what a particular celebrity is doing etc. There can be some other important issues which are needed to be addressed, but these issues, though are of public importance are not covered.

**3. Poor coverage of important issues**

In a mad race to gain TRP and popularity the media tends to show what people want to see, sidelining some important news which are of real public importance go unnoticed. The best example was lakme fashion week which was captured by nearly every channel, while the suicide by farmers in Maharashtra during the same time was neglected.

**4. The media's short attention span**

This is another drawback of the media. It only gives the news when a particular incident occurs, but rarely keeps the follow up which is very necessary.

**5. Focus on huge profit margins, not serving public**

It has also come to notice that, the media publishes the news, which are favourable to a particular candidate for monetary or other consideration. The term which is popularly called as paid news. The phenomenon of "paid news" has acquired serious dimensions. Today it goes beyond the corruption of individual journalists and media companies and has become pervasive, structured and highly organized.

**6. Trial by media**

Media trial is a concept used in late 20<sup>th</sup> and 21<sup>st</sup> Century to describe the impact of media in judicial proceedings. The trial by media generally is in criminal cases, where media creates the perceptions of guilt or innocence of the accused, in the mind of people regarding the crime, even before the courts have passed a judgment or sometimes even before the trial commences. Because of this the right of an accused for fair trial is encroached on.

In the light of above facts it is not possible for democracy to succeed or enjoyed in true spirits. But it is not possible to govern the media by detailed legislations. The News Broadcasters Association (NBA) has issued the guidelines. Some important guidelines are as under:

**1) Impartiality and objectivity in reporting**

Accuracy is at the heart of the news television business. Viewers of 24 hour news channels expect speed, but it is the responsibility of TV news channels to keep accuracy, and balance, as precedence over speed. If despite this there are errors, channels should be transparent about them. Errors must be corrected promptly and clearly, whether in the use of pictures, a news report, a caption, a graphic or a script. Channels should also strive not to broadcast anything which is obviously defamatory or libelous. Truth will be a defense in all cases where a larger public interest is involved, and in even these cases, equal opportunities will be provided for individuals involved to present their point of view. This also applies in cases where television channels report on those holding public office, though by virtue of doing so, no person can claim immunity from scrutiny from or criticism by news channels<sup>9</sup>.

**2) Ensuring neutrality**

TV News channels must provide for neutrality by offering equality for all affected parties, players and actors in any dispute or conflict to present their point of view. Though neutrality does not always come down to giving equal space to all sides (news channels shall strive to give main view points of the main parties) news channels must strive to ensure that allegations are not portrayed as fact and charges are not conveyed as an act of guilt<sup>10</sup>.

**3) Reporting on crime and safeguards to ensure crime and violence are not glorified**

Television news has greater reach, and more immediate impact than other forms of media, and this makes it all the more necessary that channels exercise restraint to ensure that any report or visuals broadcast do not induce, glorify, incite, or positively depict violence and its perpetrators, regardless of ideology or context. Specific care must be taken not to broadcast visuals that can be prejudicial or inflammatory. Equally, in the reporting of violence (whether collective or individual) the act of violence must not be glamorized, because it may have a misleading or desensitizing impact on viewers. News channels will ensure that such reconstructions will not cross boundaries of good taste and sensibility. This includes taking adequate precaution while showing any visual instance of pain, fear or suffering, and visuals or details of methods of suicide and self-harm of any kind and will not cross boundaries of good taste and decency<sup>11</sup>.

**4) Depiction of violence or intimidation against women and children**

As an elaboration of Point 3, news channels will ensure that no woman or juvenile, who is a victim of sexual violence, aggression, trauma, or has been a witness to the same is shown on television without due effort taken to conceal the identity. In reporting all cases of sexual assault, or instances where the personal character or privacy of women are concerned, their names, pictures and other details will not be broadcast/divulged. Similarly, the identity of victims of child abuse and juvenile delinquents will not be revealed, and their pictures will be morphed to conceal their identity<sup>12</sup>.

**5) Sex and nudity**

News channels will ensure that they do not show, without morphing, nudity of the male or female form. Channels will also not show explicit images of sexual activity or sexual perversions or acts of sexual violence like rape or molestation, or show pornography, or the use of sexually suggestive language. (As a qualifier

however, channels are not expected to be moralistic or prudish, and this self-regulation is aimed not at moral policing, but rather at ensuring that overtly regressive and explicit acts and visuals do not slip into broadcasts).

**6) Privacy**

As a rule channels must not intrude on private lives, or personal affairs of individuals, unless there is a clearly established larger and identifiable public interest for such a broadcast. The underlying principle that news channels abide by is that the intrusion of the private spaces, records, transcripts, telephone conversations and any other material will not be for salacious interest, but only when warranted in the public interest. However, it is also understood that the pursuit of the truth and the news is not possible through the predetermined principle of prior permission; hence door stepping individuals or authorities for the purpose of newsgathering may be used only in the larger purpose of public interest. Further, in the case of minors, in any broadcast that intrudes on their privacy, the channel should attempt, where possible, to seek the consent of the parent or legal guardian. However, the defense of the premise of privacy cannot be misconstrued as the denial of access, and this applies to all individuals, including those in the public eye and public personalities. It does however apply in its entirety, as per the provisions mentioned above, to their children and kin who are minors<sup>13</sup>.

**Conclusion**

The Media is referred as fourth estate of democracy. For proper functioning of democracy free press is must. But free press does not mean an uncontrolled press. The problem then comes is who and how to control press. The answer is there shall be an uplifting the standards of journalism can only be solution. Every journalist must honestly and consciously make an attempt not to fall in any trap and raise the standard of journalism.

**REFERENCES**

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